

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ALDO VERA, JR., as Personal Representative  
of the Estate of Aldo Vera, Sr.,

Plaintiff

VS.

THE REPUBLIC OF CUBA,

Defendant

12 Civ. 1596 (AKH)

ALDO VERA, JR., as Personal Representative  
of the Estate of Aldo Vera Sr., et al.,

Petitioners,

V.

BANCO BILBAO VIZCAYA ARGENTARIA  
(S.A.), et al.

### Respondents/Garnishees.

BRANDON R. LEVITT hereby declares:

1. I am a member of the Bar of this Court and an associate of the firm Hall, Lamb & Hall P.A.. We, along with the Frankfurt Kurnit firm, are counsel of record to Alfredo Villoldo, individually, and Gustavo E. Villoldo, individually, and as Administrator, Executor, and Personal Representative of the Estate of Gustavo Villoldo Agrilagos, Petitioners in this judgment enforcement proceeding pursuant to Federal Rule of Civil Procedure Rule 69 and 28 U.S.C. Section 1610, note (known as the Terrorism Risk Insurance Act, or “TRIA”). The facts set forth herein are based on personal knowledge that I have obtained as counsel to the Villoldos and from my familiarity with the records of the various court proceedings that are referenced below.

2. I submit this declaration in opposition to the motion of one of the garnishees herein, Banco Bilbao Vizcaya Argentaria (S.A.) ("BBVA"), which challenges the subject matter jurisdiction of this Court to hear this proceeding. For the reasons set forth in the accompanying memorandum, BBVA is incorrect and this Court does have subject matter jurisdiction to provide the TRIA judgment enforcement relief requested.

3. Attached to this declaration are true and correct copies of the following exhibits in support of Petitioners' opposition brief:

- Exhibit 1: Final Judgment, *Villoldo v. Cuba*, No. 08-14505 CA 25, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, August 19, 2011.
- Exhibit 2: Amended Default Judgment, *Villoldo v. Cuba*, No. 11-cv-9394 (S.D.N.Y. Dec. 21, 2011) (LTS) (Doc. No. 23)
- Exhibit 3: Turnover Order Against PNC Bank, N.A., *Villoldo v. Cuba*, No. 2:13-mc-00016 (W.D. Pa. May 28, 2013) (AJS) (Doc. No. 24).
- Exhibit 4: Turnover Order Against State Street Bank & Trust Co., *Villoldo v. Cuba*, No. 4:13-mc-94014 (D. Mass. Sep. 24, 2013) (TSH) (Doc. No. 25).
- Exhibit 5: Default Final Judgment Against Tamiami, *Villoldo v. Cuba*, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, November 25, 2013.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: Miami, Florida  
December 6, 2013



Brandon R. Levitt